




affidavits made on personal knowledge, detailing the specific reason or reasons the answer was not timely filed and should be filed with proof of service on petitioner.”

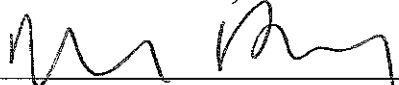
On December 18, 2017, respondent filed a motion to file a late answer, with the proposed answer attached, alleging that office procedures for assigning cases and failure to enter the matter into respondent’s calendaring system caused respondent’s failure to timely respond to the petition. Petitioners opposed respondent’s motion. Law office failure, as described by respondent in her papers, is not good cause for failure to comply with Board Rules (12 NYCRR) § 65.5 (*Matter of Econopouly*, PR 13-180 [January 20, 2016]; *Matter of Chowdhury*, PES 16-014 [June 14, 2017]). Under Board Rules (12 NYCRR) § 65.14, we deem respondent’s failure to file a timely response a waiver of her right to further participation in this proceeding. Because respondent has failed to deny any of the allegations in the petition, we find the factual allegations admitted for the purposes of the instant review and grant the petition.


**NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:**

1. The Commissioner’s motion to file a late answer is denied; and
2. The orders are revoked; and
3. The petition for review is granted.

  
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Vilda Vera Mayuga, Chairperson

  
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J. Christopher Meagher, Member

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Michael A. Arcuri, Member  
  
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Molly Doherty, Member

  
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Gloribelle J. Perez, Member

Dated and signed by the Members  
of the Industrial Board of Appeals  
in New York, New York, on  
March 7, 2018.

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